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**TRANSMITTAL  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/019,827	
	Filing Date	5/21/2002	
	First Named Inventor	Luo, et al	
	Art Unit	2623	
	Examiner Name	Dastouri, Mehrdad	
Total Number of Pages in This Submission	12	Attorney Docket Number	fraunh01.028

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Return Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Gordon E. Nelson #30,093		
Signature			
Date	12/22/2005		

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fraunh01.028

TM 2625

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(fraunh01.028)

**Applicant:** Luo, et al.

**Paper No.:**

**Application No:** 10/019,827

**Group Art Unit:** 2625

**Filed:** 5/21/02

**Examiner:** Seth, Manav

**Title:** *Authenticating executable code and executions thereof*

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Commissioner for Patents  
Alexandria, VA 22313-1450

**Response to a non-final Office action under 37 C.F.R. 1.111**

An RCE was filed in the above patent application on May 23, 2005 with a *Submission* in which the claims were amended to better distinguish them from Collberg and Thomborson, *Software watermarking: Models and dynamic embeddings*, which was published in January, 1999 and is presently available from [www.cs.arizona.edu/~collberg/Research/Publications/CollbergThomborson99a/](http://www.cs.arizona.edu/~collberg/Research/Publications/CollbergThomborson99a/) (henceforth "Software watermarking"). Applicants received a first Office action in the RCE mailed 9/29/2005 in which claim 3 was objected to as being dependent from a canceled claim and claim 1 was objected to for its use of "may". Claims 1-18 were rejected under 35 U.S.C. 103(a) as obvious over Software Watermarking in light of a new reference, U.S. Patent 5,905,800, Moskowitz, et al., *Method and system for digital watermarking*, which has a priority date of Jan. 17, 1996. (Henceforth "Moskowitz"). Claims 19-28 were rejected under 35 U.S.C. 203(a) is obvious over Software Watermarking, Moskowitz, and Collberg, Thomborson, and Low, *A taxonomy of obfuscating transformations*, published July 1997 and presently available from <http://www.cs.arizona.edu/~collberg/Research/Publications/CollbergThomborsonLow97a/>. In the following, Applicants are amending claims 1 and 3 to overcome the objections thereto and are traversing the rejection under 35 U.S.C. 103(a).

**Please amend the claims as follows:**